

June 21, 2019

DISSEMINATION BY THE LIVINGSTON GROUP, LLC

FARA Registration #6344

- I am following up on my previous contact with you regarding Mr. Hugh Aiken.
- Specifically, to ask that you contact the Departments of Commerce and State (in particular, the Embassy in Poland), encouraging them to engage Mr. Aiken regarding his case.
- To-date, we've confirmed that the Embassy in Poland is discussing his case internally. However, Mr. Aiken has not yet had the opportunity to meet with Ambassador Mosbacher.
- As you recall, Mr. Aiken, an American citizen, is at risk of losing fifty percent of his foundry company in Poland, Zaklad Metalurgiczny (ZM), due to a 2010 decision by the Supreme Court of Poland.
- A former potential investor, GEM Management Limited (GEM), is claiming half the company even though it did not put up any of the investment.
- Mr. Aiken initially won at the trial level and at the appellate level, but then GEM hired a lawyer with close ties to a Polish Supreme Court Justice. That court annulled the lower courts' decisions.
- In Poland it is possible to review and reverse court cases for corruption or gross negligence through the National Prosecutor's Office.
- In 2018, Mr. Aiken filed a request to review the 2010 Supreme Court decision. In 2019, per the Prosecutor General's suggestion, the request was amended to review the related 2011 appeal court judgement instead.
- Mr. Aiken and ZM have the full support of Solidarnosc (Solidarity), a Polish labor union with a significant political history, which submitted two letters to the Prosecutor General in support of a review. ZM currently employs 960 people.

THE LIVINGSTON GROUP, LLC PROVIDES REPRESENTATION FOR ZAKLAD METALURGICZNY, THROUGH SEKCO OPERATING COMPANY. ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF JUSTICE, WASHINGTON, DC.